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6 UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF WASHINGTON  
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9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.  
12

13 JAMES DOUGLAS LINGARD,

14 Defendant.  
15

Case No. 2:21-CR-0138-TOR

STIPULATED PROTECTIVE  
ORDER REGARDING  
IDENTIFICATION OF MINOR  
VICTIMS PURSUANT TO  
18 U.S.C. § 3509

16 BEFORE THE COURT is the parties' Stipulated Motion for Protective  
17 Order Regarding Identification of Minor Victims Pursuant to 18 U.S.C. § 3509.  
18 ECF No. 22. The motion was submitted for hearing without oral argument.  
19 Having reviewed the file and the records therein, the Court is fully informed.  
20

21 GOOD CAUSE HAVING BEEN SHOWN, the Court hereby ORDERS that  
22 the Stipulation for Protective Order Regarding Identification of Minor Victims  
23 Pursuant to 18 U.S.C. § 3509 filed by the parties is GRANTED.

24 1. IT IS FURTHER ORDERED that the privacy protection measures  
25 mandated by 18 U.S.C. § 3509(d), which apply when a case involves a person  
26 under the age of eighteen years who is alleged to be a victim of a crime of sexual  
27 exploitation, or a witness to a crime committed against another person, apply to  
28

PROTECTIVE ORDER REGARDING IDENTIFICATION OF MINOR

VICTIMS PURSUANT TO 18 U.S.C. § 3509 - 1

1 this case.

2 2. IT IS FURTHER ORDERED that all persons acting in this case in a  
3 capacity described in 18 U.S.C. § 3509(d)(1)(B), shall:

- 4 a. Keep all documents that disclose the names, identities, or any  
5 other information concerning minors in a secure place to which  
6 no person who does not have reason to know their contents has  
7 access;
- 8 b. Disclose such documents or the information in them that  
9 concerns minors only to persons who, by reason of their  
10 participation in the proceeding, have reason to know such  
11 information;
- 12 c. Not permit Defendant himself to review discovery outside the  
13 presence of defense counsel or a defense investigator;
- 14 d. Not permit Defendant to keep discovery in his own possession  
15 outside the presence of defense counsel or a defense  
16 investigator; and
- 17 e. Not permit Defendant to keep, copy, or record the identities of  
18 any minor or victim identified in discovery in this case.

19  
20 3. IT IS FURTHER ORDERED that all papers to be filed in Court that  
21 disclose the names or any other information identifying or concerning minors shall  
22 be filed under seal without necessity of obtaining a Court order, and that the person  
23 who makes the filing shall submit to the Clerk of the Court:

- 24 a. The complete paper to be kept under seal; and
- 25 b. The paper with the portions of it that disclose the names or  
26 other information identifying or concerning children redacted,  
27 to be placed in the public record.
- 28

PROTECTIVE ORDER REGARDING IDENTIFICATION OF MINOR

VICTIMS PURSUANT TO 18 U.S.C. § 3509 - 2

1           4.     IT IS FURTHER ORDERED that the parties and the witnesses shall  
2 not disclose minors' identities during any proceedings connected with this case.  
3 The parties and witnesses will refer to alleged minor victims only by using agreed-  
4 upon initials or pseudonyms (e.g., "Minor Victim 1"), rather than their bona fide  
5 names, in motions practice, opening statements, during the presentation of  
6 evidence, in closing arguments, and during sentencing.

7           5.     IT IS FURTHER ORDERED that the government may produce  
8 discovery to the defense that discloses the identity and images of alleged minor  
9 victims in this case, in order to comply with the government's discovery  
10 obligations. Defendant, the defense team, Defendant's attorneys and investigators,  
11 and all of their externs, employees, and/or staff members, shall keep this  
12 information confidential as set forth above.

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14           6.     IT IS FURTHER ORDERED that this ORDER shall apply to any  
15 attorneys who subsequently become counsel of record, without the need to renew  
16 or alter the ORDER.

17           7.     IT IS FURTHER ORDERED that this ORDER shall apply to the  
18 personal identifying information and images of any minors who are identified over  
19 the course of the case, whether or not such minors are known to the government  
20 and/or Defendant at the time the ORDER is entered by the Court.

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28 PROTECTIVE ORDER REGARDING IDENTIFICATION OF MINOR

VICTIMS PURSUANT TO 18 U.S.C. § 3509 - 3

1 IT IS SO ORDERED. The Clerk shall enter this Order and furnish copies to  
2 counsel.

3 Dated October 19, 2021.



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*Thomas O. Rice*  
THOMAS O. RICE  
United States District Judge

PROTECTIVE ORDER REGARDING IDENTIFICATION OF MINOR

VICTIMS PURSUANT TO 18 U.S.C. § 3509 - 4